

refuses to play the role that it must play, play it not for purposes of conquest and not for purposes of domination, but for purposes of using our power so that the world may be one in which nations and peoples with different philosophies can live together, rather than die together.

And so at this particular instance, there has never been a time when we needed in this country more men and women like the men and women who proudly belong to the Veterans of Foreign Wars, who believe in this country, who recognize the need for strength, who also appreciate the necessity for negotiation. There has never been a time when we needed people who thought along those lines more.

I remember talking with President Eisenhower once, and he said something very significant, very early in his Administration. He said, "There is no one who hates war more than someone who has seen a lot of it." Of course, he was a great example of that truth.

That could be said of all of the Veterans of Foreign Wars. And yet you, as Veterans of Foreign Wars, you know that if we are to have peace, it will not come through weakness, and on the other side it will not come through belligerence, but it will come through strength, and the willingness to negotiate a new era in which we can have peace, peace through strength and conciliation at the very highest level.

That brings me to our honored guest tonight. I have been thinking of these dinners I have attended. I have been thinking of the men who I have appeared with on the occasion of these dinners, appeared for and spoken in behalf of.

Senator Jackson, who is a man who, when all these great issues have come before the Senate, stood very firm for the cause of a strong United States, for putting the country first and his party second.

I think of Congressman Arends. Congressman Arends, a man who could always be counted upon through all the years that I have known him. I have not known him quite as long as he has been in the Congress, but almost, but a man who always, like Senator Jackson, put the country first and his party second.

And I think tonight of Doc Morgan. Now, Doc Morgan is going to follow me, so I had better say nice things about him. In speaking of Doc Morgan, I want to speak of the House of Representatives because he, as you know, is the Chairman of the Foreign Affairs Committee of the House of Representatives. I think of Doc Morgan, of Speaker Carl Albert, Chairman George Mahon who is here tonight, of the Appropriations Committee, of Tiger Teague, the Chairman of the Veterans Affairs Committee. It occurred to me, as I mentioned those names, they are all Democrats. As I mentioned those names, it occurs to me, too, that the immediate past Commander of the VFW and the present Commander of the VFW are Democrats. So why am I here?

I am here for this reason: One of the most eloquent of all the men who have served in American political life

was a Senator from Indiana around the turn of the century. All of you have read about him; you have read Bower's life of Beveridge. This great Indiana Senator made perhaps some of the greatest speeches ever heard in the Senate or in this country. He once said something that I thought was very simple but very eloquent. That was that one who is a partisan of principle is a prince of statesmanship. Those are the men we honor tonight.

I could speak of Doc Morgan in terms of his years of service on the Foreign Affairs Committee, Chairman of that Committee since 1959. I know that every time I, in my 3 years in this office, have called upon him, he has not been found wanting. I know that whether we speak, and I now mention those in the House of Representatives with whom he has worked, whether it is Speaker Albert, or the former Speaker, Speaker McCormack, or George Mahon or Tiger Teague, and let's get one Republican in it, or Les Arends, that whenever an issue came up that involved this Nation, its security, its strength, the peace that we all want, he was a man who was a partisan, a strong partisan, but a partisan for principle, and therefore a prince of statesmanship.

I honor him tonight as a prince of statesmanship.

NOTE: The President spoke at 8:52 p.m. at the Sheraton-Park Hotel. Representative Thomas E. Morgan received the organization's Congressional Award at the banquet.

Classification and Declassification of National Security Information and Material

Statement by the President Upon Establishing a New Classification System and Directing the Acceleration of Publication of the "Foreign Relations" Series.

March 8, 1972

I have today signed an Executive order establishing a new, more progressive system for classification and declassification of Government documents relating to national security. This reform springs from a review that I initiated almost 14 months ago and represents the first major overhaul of our classification procedures since 1953.

By a separate action, I have also directed the Secretary of State to accelerate publication of the official documentary series, "Foreign Relations of the United States," so that historians and others will have more rapid access to papers created after World War II.

Both of these actions are designed to lift the veil of secrecy which now enshrouds altogether too many papers written by employees of the Federal establishment--and to do so without jeopardizing any of our legitimate defense or foreign policy interests.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, MARCH 13, 1972

543

SHORTCOMINGS OF PRESENT CLASSIFICATION SYSTEM

Unfortunately, the system of classification which has evolved in the United States has failed to meet the standards of an open and democratic society, allowing too many papers to be classified for too long a time. The controls which have been imposed on classification authority have proved unworkable, and classification has frequently served to conceal bureaucratic mistakes or to prevent embarrassment to officials and administrations.

Once locked away in Government files, these papers have accumulated in enormous quantities and have become hidden from public exposure for years, for decades—even for generations. It is estimated that the National Archives now has 160 million pages of classified documents from World War II and over 300 million pages of classified documents for the years 1946 through 1954.

The many abuses of the security system can no longer be tolerated. Fundamental to our way of life is the belief that when information which properly belongs to the public is systematically withheld by those in power, the people soon become ignorant of their own affairs, distrustful of those who manage them, and—eventually—incapable of determining their own destinies.

Yet since the early days of the Republic, Americans have also recognized that the Federal Government is obliged to protect certain information which might otherwise jeopardize the security of the country. That need has become particularly acute in recent years as the United States has assumed a powerful position in world affairs, and as world peace has come to depend in large part on how that position is safeguarded. We are also moving into an era of delicate negotiations in which it will be especially important that governments be able to communicate in confidence.

Clearly, the two principles of an informed public and of confidentiality within the Government are irreconcilable in their purest forms, and a balance must be struck between them.

REVIEW ORDERED IN JANUARY 1971

In order to strike that balance in favor of more complete public disclosure and in keeping with my pledge to create an open Administration, I directed on January 15, 1971, that a review be made of security classification procedures now in effect. An interagency committee was set up to study the existing system, to make recommendations with respect to its operation, and to propose steps that might be taken to provide speedier declassification. I later directed that the scope of the review be expanded to cover all aspects of information security.

The Executive order I have signed today is based upon the results of this study, as well as on our own operational experiences under current rules, on findings of similar studies in the past growing out of Congressional hearings,

and on a reexamination of the rationale underlying the Freedom of Information Act.

BASIS FOR OPTIMISM

We cannot be assured of complete success in this endeavor. In such a complex field, rules can never be airtight and we must rely upon the good judgment of individuals throughout the Government. Yet I believe that our new approach does provide a basis for considerable optimism. The full force of my office has been committed to this endeavor. The rules have been tightened with great care. In addition, in a critically important shift, we have reversed the burden of proof: For the first time, we are placing that burden—and even the threat of administrative sanction—upon those who wish to preserve the secrecy of documents, rather than upon those who wish to declassify them after a reasonable time.

The new system will become effective on June 1, 1972. Among its most significant features are these:

—The rules for classifying documents are more restrictive.

—The number of departments and people who can originally classify information has been substantially reduced.

—Timetables ranging from 6 to 10 years have been set for the automatic declassification of documents. Exceptions will be allowed only for such information as falls within four specifically defined categories.

—Any document exempted from automatic declassification will be subject to mandatory review after a 10-year period. Thus, for the first time, a private citizen is given a clear right to have national security information reviewed on the basis of specified criteria to determine if continued classification is warranted, so long as the document can be adequately identified and obtained by the Government with a reasonable amount of effort.

If information is still classified 30 years after origination, it will then be automatically declassified unless the head of the originating department determines in writing that its continued protection is still necessary and he sets a time for declassification.

—Sanctions may be imposed upon those who abuse the system.

—And a continuing monitoring process will be set up under the National Security Council and an Interagency Classification Review Committee, whose Chairman is to be appointed by the President.

These rules are explained in greater detail below.

ELEMENTS OF THE NEW SYSTEM

1. Tighter Rules for Classification.

Under the new order, materials can be classified Top Secret, Secret, or Confidential only if their unauthorized disclosure "could reasonably be expected" to cause, respectively, exceptionally grave damage, serious damage, or damage to the national security. Heretofore, material

could be classified if the originator had any expectation of such damage however remote. This new test is intended to reduce the amount of protected information. In addition, the order explicitly directs that the "Top Secret" stamp must be used with "utmost restraint" while "Secret" shall be used "sparingly."

2. Reduction in Classification Authority.

The new order also substantially reduces the number of agencies in the Government authorized to classify information and material. Under current rules, 24 Federal departments and agencies outside the Executive Office of the President have broad classification authority, while several others have more restricted powers. Under the new system, only 12 departments and agencies and such offices in the Executive Office as the President may designate will have authority to originally classify information "Top Secret" and 13 others will have authority to stamp materials "Secret" and "Confidential."

In the principal departments concerned with national security, namely State, Defense, and the CIA, the number of individuals who may be authorized to classify material "Top Secret" is also drastically reduced from 5,100 to approximately 1,860. This authority may be exercised only by the heads of the departments and agencies and certain high officials within their organizations whom the heads must designate in writing. Reductions in classification authority are also being made at the "Secret" and "Confidential" levels.

It is anticipated that by reducing the number of agencies with classification powers as well as the number of people within those agencies who have personal classification authority, we can sharply reduce the quantity of material which enters the Government's classified files.

3. Precise Identification of Classified Information.

A major source of unnecessary classification under the old Executive order was the practical impossibility of discerning which portions of a classified document actually required classification. Incorporation of any material from a classified paper into another document usually resulted in the classification of the new document, and innocuous portions of neither paper could be released.

To the extent practicable, each classified document under the new system will be marked to show which portions are classified, at what level, and which portions are unclassified.

4. Rules for Declassifying Documents.

Perhaps the most innovative and crucial aspect of the Executive order I have signed today is the procedure it establishes for the downgrading and declassification of documents. Aside from a small amount of documents which are subject to declassification after a 12-year period as specified by existing regulations, the vast majority of documents classified since World War II have never been given a rigorous declassification review and they remain classified to this day. I believe we can cure these ills under the new order.

A. Documents Classified After May 31, 1972.

Unless specifically exempted, all documents classified after May 31, 1972, are to be automatically downgraded and declassified. "Top Secret" information is to be downgraded to "Secret" after 2 years, to "Confidential" after 2 more years, and declassified after a total of 10 years. "Secret" information is to be downgraded to "Confidential" after 2 years and declassified after a total of 8 years. "Confidential" documents are to be declassified after 6 years.

Information may be exempted from the automatic process only by an official with "Top Secret" classification authority and that official must specify in writing in which of four specific exemption categories the material falls and, where possible, he must also indicate when declassification will in fact occur. The four exemption categories are:

- Classified information furnished in confidence by a foreign government or international organization;

- Classified information covered by statute, or pertaining to cryptography, or disclosing intelligence sources or methods;

- Classified information disclosing a system, plan, installation, project or specific foreign relations matter the continued protection of which is essential to the national security;

- Classified information which, if disclosed, "would place a person in immediate jeopardy." The jeopardy intended here is physical harm, not personal embarrassment or discomfiture.

Upon request from anyone, including a member of the general public, exempted material is subject to mandatory review by the originating Department after 10 years from the date of origin so long as (a) the request describes the record with sufficient particularity that it may be identified, and (b) the record can be obtained with a reasonable amount of effort.

If material is still classified 30 years after the date of its original classification, it shall then be automatically declassified. Classification may be further extended only if the head of the originating Department personally determines in writing that its continued protection is essential to national security or that its disclosure would place a person in immediate jeopardy. In these instances—and I am encouraged to believe that they will be limited in number—the Department head must also specify the period of continued classification.

B. Documents Classified Before June 1, 1972.

Essentially these same standards will be applied to materials classified prior to the effective date of this order, but in view of their vast quantity, the 6-10 year rule for automatic declassification can only be applied to those documents already subject to a 12-year declassification under current procedures. All others will be subject to the mandatory review process at any time after 10 years from the date of origin, provided the particularity and reasonable effort tests are met. After 30 years all remaining classified information shall be systematically reviewed for

declassification by the Archivist of the United States. The Archives shall continue the protection of this material after the 30-year deadline only if the head of the originating Department so specifies in writing under conditions noted above.

This new responsibility for the Archivist is tailored to fit with Administration plans for an immediate and systematic declassification of World War II documents. On August 3, 1971, I asked the Congress for a supplemental appropriation of \$636,000 so that we could begin this project under the direction of the National Archives and Record Service of the General Services Administration. The Congress has not yet responded to this request, but I am hopeful of action this year.

5. Sanctions Against Over-Classification.

Unlike the current system, in which officials find it in their own best interest to classify all materials of a questionable nature, I am hopeful that the new Executive order will encourage them to exercise their authority with restraint. The order explicitly states that information shall never be classified "in order to conceal inefficiency or administrative error . . . or to prevent for any other reason the release of information which does not require protection in the interest of national security." More than that, each agency is to provide a means of identifying the classifying authority for each document and each official is to be held personally responsible for the propriety of the classifications attributed to him. Repeated abuse of the process through excessive classification shall be grounds for administrative action.

6. Monitoring the New System.

Of critical importance to the effectiveness of my Executive order will be the new administrative machinery designed to ensure that its provisions are not allowed to become mere meaningless exhortations. The National Security Council will monitor compliance with the Executive order. In addition, the order creates a small Inter-agency Classification Review Committee with extensive powers to oversee agency implementation of the new system, and to take action on complaints both from within and from outside the Government on the administration of the order.

ACCELERATING PUBLICATION OF FOREIGN RELATIONS SERIES

My second action today was to direct an acceleration in the publication by the Department of State of the official documentary series, "Foreign Relations of the United States." Since 1861, that series has been an invaluable resource for historians and others interested in our past. For many years each publication contained documents written only a few years before, but soon after the Second World War, when Government files were bulging with war papers, a 20-year lag developed between origination and publication. Now, however, the lag has stretched to 26 years and the Department of State is presently publishing materials relating to events of 1946.

This delay is too long, and I have directed the Secretary of State to institute immediately a program to reduce this time lag to 20 years, and to accomplish this mission within 3 years. I have also instructed the Secretary of Defense, the Director of Central Intelligence, and my Assistant for National Security Affairs to cooperate fully with this effort.

NOTE: For related items, see the following four items.

Classification and Declassification of National Security Information and Material

Executive Order 11652. March 8, 1972

The interests of the United States and its citizens are best served by making information regarding the affairs of Government readily available to the public. This concept of an informed citizenry is reflected in the Freedom of Information Act and in the current public information policies of the executive branch.

Within the Federal Government there is some official information and material which, because it bears directly on the effectiveness of our national defense and the conduct of our foreign relations, must be subject to some constraints for the security of our Nation and the safety of our people and our allies. To protect against actions hostile to the United States, of both an overt and covert nature, it is essential that such official information and material be given only limited dissemination.

This official information or material, referred to as classified information or material in this order, is expressly exempted from public disclosure by Section 552 (b)(1) of Title 5, United States Code. Wrongful disclosure of such information or material is recognized in the Federal Criminal Code as providing a basis for prosecution.

To ensure that such information and material is protected, but only to the extent and for such period as is necessary, this order identifies the information to be protected, prescribes classification, downgrading, declassification and safeguarding procedures to be followed, and establishes a monitoring system to ensure its effectiveness.

Now, THEREFORE, by virtue of the authority vested in me by the Constitution and statutes of the United States, it is hereby ordered:

SECTION 1. *Security Classification Categories.* Official information or material which requires protection against unauthorized disclosure in the interest of the national defense or foreign relations of the United States (hereinafter collectively termed "national security") shall be classified in one of three categories, namely "Top Secret," "Secret," or "Confidential," depending upon the degree

of its significance to national security. No other categories shall be used to identify official information or material as requiring protection in the interest of national security, except as otherwise expressly provided by statute. These classification categories are defined as follows:

(A) "Top Secret." "Top Secret" refers to that national security information or material which requires the highest degree of protection. The test for assigning "Top Secret" classification shall be whether its unauthorized disclosure could reasonably be expected to cause exceptionally grave damage to the national security. Examples of "exceptionally grave damage" include armed hostilities against the United States or its allies; disruption of foreign relations vitally affecting the national security; the compromise of vital national defense plans or complex cryptologic and communications intelligence systems; the revelation of sensitive intelligence operations; and the disclosure of scientific or technological developments vital to national security. This classification shall be used with the utmost restraint.

(B) "Secret." "Secret" refers to that national security information or material which requires a substantial degree of protection. The test for assigning "Secret" classification shall be whether its unauthorized disclosure could reasonably be expected to cause serious damage to the national security. Examples of "serious damage" include disruption of foreign relations significantly affecting the national security; significant impairment of a program or policy directly related to the national security; revelation of significant military plans or intelligence operations; and compromise of significant scientific or technological developments relating to national security. The classification "Secret" shall be sparingly used.

(C) "Confidential." "Confidential" refers to that national security information or material which requires protection. The test for assigning "Confidential" classification shall be whether its unauthorized disclosure could reasonably be expected to cause damage to the national security.

Sec. 2. Authority to Classify. The authority to originally classify information or material under this order shall be restricted solely to those offices within the executive branch which are concerned with matters of national security, and shall be limited to the minimum number absolutely required for efficient administration. Except as the context may otherwise indicate, the term "Department" as used in this order shall include agency or other governmental unit.

(A) The authority to originally classify information or material under this order as "Top Secret" shall be exercised only by such officials as the President may designate in writing and by:

(1) The heads of the Departments listed below;

(2) Such of their senior principal deputies and assistants as the heads of such Departments may designate in writing; and

(3) Such heads and senior principal deputies and assistants of major elements of such Departments, as the heads of such Departments may designate in writing.

Such offices in the Executive Office of the President as the President may designate in writing

Central Intelligence Agency
Atomic Energy Commission
Department of State
Department of the Treasury
Department of Defense
Department of the Army
Department of the Navy
Department of the Air Force
United States Arms Control and Disarmament Agency

Department of Justice
National Aeronautics and Space Administration
Agency for International Development

(B) The authority to originally classify information or material under this order as "Secret" shall be exercised only by:

(1) Officials who have "Top Secret" classification authority;

(2) Such subordinates as officials with "Top Secret" classification authority under (A) (1) and (2) above may designate in writing; and

(3) The heads of the following named Departments and such senior principal deputies or assistants as they may designate in writing.

Department of Transportation
Federal Communications Commission
Export-Import Bank of the United States
Department of Commerce
United States Civil Service Commission
United States Information Agency
General Services Administration
Department of Health, Education, and Welfare
Civil Aeronautics Board
Federal Maritime Commission
Federal Power Commission
National Science Foundation
Overseas Private Investment Corporation

(C) The authority to originally classify information or material under this order as "Confidential" may be exercised by officials who have "Top Secret" or "Secret" classification authority and such officials as they may designate in writing.

(D) Any Department not referred to herein and any Department or unit established hereafter shall not have authority to originally classify information or material under this order, unless specifically authorized hereafter by an Executive order.

Sec. 3. Authority to Downgrade and Declassify. The authority to downgrade and declassify national security information or material shall be exercised as follows:

(A) Information or material may be downgraded or declassified by the official authorizing the original clas-

sification, by a successor in capacity or by a supervisory official of either.

(B) Downgrading and declassification authority may also be exercised by an official specifically authorized under regulations issued by the head of the Department listed in Sections 2(A) or (B) hereof.

(C) In the case of classified information or material officially transferred by or pursuant to statute or Executive order in conjunction with a transfer of function and not merely for storage purposes, the receiving Department shall be deemed to be the originating Department for all purposes under this order including downgrading and declassification.

(D) In the case of classified information or material not officially transferred within (C) above, but originated in a Department which has since ceased to exist, each Department in possession shall be deemed to be the originating Department for all purposes under this order. Such information or material may be downgraded and declassified by the Department in possession after consulting with any other Departments having an interest in the subject matter.

(E) Classified information or material transferred to the General Services Administration for accession into the Archives of the United States shall be downgraded and declassified by the Archivist of the United States in accordance with this order, directives of the President issued through the National Security Council and pertinent regulations of the Departments.

(F) Classified information or material with special markings, as described in Section 8, shall be downgraded and declassified as required by law and governing regulations.

Sec. 4. Classification. Each person possessing classifying authority shall be held accountable for the propriety of the classifications attributed to him. Both unnecessary classification and over-classification shall be avoided. Classification shall be solely on the basis of national security considerations. In no case shall information be classified in order to conceal inefficiency or administrative error, to prevent embarrassment to a person or Department, to restrain competition or independent initiative, or to prevent for any other reason the release of information which does not require protection in the interest of national security. The following rules shall apply to classification of information under this order:

(A) *Documents In General.* Each classified document shall show on its face its classification and whether it is subject to or exempt from the General Declassification Schedule. It shall also show the office of origin, the date of preparation and classification and, to the extent practicable, be so marked as to indicate which portions are classified, at what level, and which portions are not classified in order to facilitate excerting and other use. Material containing references to classified materials, which references do not reveal classified information, shall not be classified.

(B) *Identification of Classifying Authority.* Unless the Department involved shall have provided some other method of identifying the individual at the highest level that authorized classification in each case, material classified under this order shall indicate on its face the identity of the highest authority authorizing the classification. Where the individual who signs or otherwise authenticates a document or item has also authorized the classification, no further annotation as to his identity is required.

(C) *Information or Material Furnished by a Foreign Government or International Organization.* Classified information or material furnished to the United States by a foreign government or international organization shall either retain its original classification or be assigned a United States classification. In either case, the classification shall assure a degree of protection equivalent to that required by the government or international organization which furnished the information or material.

(D) *Classification Responsibilities.* A holder of classified information or material shall observe and respect the classification assigned by the originator. If a holder believes that there is unnecessary classification, that the assigned classification is improper, or that the document is subject to declassification under this order, he shall so inform the originator who shall thereupon re-examine the classification.

Sec. 5. Declassification and Downgrading. Classified information and material, unless declassified earlier by the original classifying authority, shall be declassified and downgraded in accordance with the following rules:

(A) *General Declassification Schedule.*

(1) "*Top Secret.*" Information or material originally classified "Top Secret" shall become automatically downgraded to "Secret" at the end of the second full calendar year following the year in which it was originated, downgraded to "Confidential" at the end of the fourth full calendar year following the year in which it was originated, and declassified at the end of the tenth full calendar year following the year in which it was originated.

(2) "*Secret.*" Information and material originally classified "Secret" shall become automatically downgraded to "Confidential" at the end of the second full calendar year following the year in which it was originated, and declassified at the end of the eighth full calendar year following the year in which it was originated.

(3) "*Confidential.*" Information and material originally classified "Confidential" shall become automatically declassified at the end of the sixth full calendar year following the year in which it was originated.

(B) *Exemptions from General Declassification Schedule.* Certain classified information or material may warrant some degree of protection for a period exceeding that provided in the General Declassification Schedule. An official authorized to originally classify information or material "Top Secret" may exempt from the General Declassification Schedule any level of classified information or material originated by him or under his supervision.

sion if it falls within one of the categories described below. In each case such official shall specify in writing on the material the exemption category being claimed and, unless impossible, a date or event for automatic declassification. The use of the exemption authority shall be kept to the absolute minimum consistent with national security requirements and shall be restricted to the following categories:

(1) Classified information or material furnished by foreign governments or international organizations and held by the United States on the understanding that it be kept in confidence.

(2) Classified information or material specifically covered by statute, or pertaining to cryptography, or disclosing intelligence sources or methods.

(3) Classified information or material disclosing a system, plan, installation, project or specific foreign relations matter the continuing protection of which is essential to the national security.

(4) Classified information or material the disclosure of which would place a person in immediate jeopardy.

(C) *Mandatory Review of Exempted Material.* All classified information and material originated after the effective date of this order which is exempted under (B) above from the General Declassification Schedule shall be subject to a classification review by the originating Department at any time after the expiration of ten years from the date of origin provided:

(1) A Department or member of the public requests a review;

(2) The request describes the record with sufficient particularity to enable the Department to identify it; and

(3) The record can be obtained with only a reasonable amount of effort.

Information or material which no longer qualifies for exemption under (B) above shall be declassified. Information or material continuing to qualify under (B) shall be so marked and, unless impossible, a date for automatic declassification shall be set.

(D) *Applicability of the General Declassification Schedule to Previously Classified Material.* Information or material classified before the effective date of this order and which is assigned to Group 4 under Executive Order No. 10501, as amended by Executive Order No. 10564, shall be subject to the General Declassification Schedule. All other information or material classified before the effective date of this order, whether or not assigned to Groups 1, 2, or 3 of Executive Order No. 10501, as amended, shall be excluded from the General Declassification Schedule. However, at any time after the expiration of ten years from the date of origin it shall be subject to a mandatory classification review and disposition under the same conditions and criteria that apply to classified information and material created after the effective date of this order as set forth in (B) and (C) above.

(E) *Declassification of Classified Information or Material After Thirty Years.* All classified information or ma-

terial which is thirty years old or more, whether originating before or after the effective date of this order, shall be declassified under the following conditions:

(1) All information and material classified after the effective date of this order shall, whether or not declassification has been requested, become automatically declassified at the end of thirty full calendar years after the date of its original classification except for such specifically identified information or material which the head of the originating Department personally determines in writing at that time to require continued protection because such continued protection is essential to the national security or disclosure would place a person in immediate jeopardy. In such case, the head of the Department shall also specify the period of continued classification.

(2) All information and material classified before the effective date of this order and more than thirty years old shall be systematically reviewed for declassification by the Archivist of the United States by the end of the thirtieth full calendar year following the year in which it was originated. In his review, the Archivist will separate and keep protected only such information or material as is specifically identified by the head of the Department in accordance with (E)(1) above. In such case, the head of the Department shall also specify the period of continued classification.

(F) *Departments Which Do Not Have Authority For Original Classification.* The provisions of this section relating to the declassification of national security information or material shall apply to Departments which, under the terms of this order, do not have current authority to originally classify information or material, but which formerly had such authority under previous Executive orders.

SEC. 6. *Policy Directives on Access, Marking, Safekeeping, Accountability, Transmission, Disposition and Destruction of Classified Information and Material.* The President acting through the National Security Council shall issue directives which shall be binding on all Departments to protect classified information from loss or compromise. Such directives shall conform to the following policies:

(A) No person shall be given access to classified information or material unless such person has been determined to be trustworthy and unless access to such information is necessary for the performance of his duties.

(B) All classified information and material shall be appropriately and conspicuously marked to put all persons on clear notice of its classified contents.

(C) Classified information and material shall be used, possessed, and stored only under conditions which will prevent access by unauthorized persons or dissemination to unauthorized persons.

(D) All classified information and material disseminated outside the executive branch under Executive Order No. 10865 or otherwise shall be properly protected.

(E) Appropriate accountability records for classified information shall be established and maintained and such

information and material shall be protected adequately during all transmissions.

(F) Classified information and material no longer needed in current working files or for reference or record purposes shall be destroyed or disposed of in accordance with the records disposal provisions contained in Chapter 33 of Title 44 of the United States Code and other applicable statutes.

(G) Classified information or material shall be reviewed on a systematic basis for the purpose of accomplishing downgrading, declassification, transfer, retirement and destruction at the earliest practicable date.

SEC. 7. Implementation and Review Responsibilities.

(A) The National Security Council shall monitor the implementation of this order. To assist the National Security Council, an Interagency Classification Review Committee shall be established, composed of representatives of the Departments of State, Defense and Justice, the Atomic Energy Commission, the Central Intelligence Agency and the National Security Council Staff and a Chairman designated by the President. Representatives of other Departments in the executive branch may be invited to meet with the Committee on matters of particular interest to those Departments. This Committee shall meet regularly and on a continuing basis review and take action to ensure compliance with this order, and in particular:

(1) The Committee shall oversee Department actions to ensure compliance with the provisions of this order and implementing directives issued by the President through the National Security Council.

(2) The Committee shall, subject to procedures to be established by it, receive, consider and take action on suggestions and complaints from persons within or without the government with respect to the administration of this order, and in consultation with the affected Department or Departments assure that appropriate action is taken on such suggestions and complaints.

(3) Upon request of the Committee Chairman, any Department shall furnish to the Committee any particular information or material needed by the Committee in carrying out its functions.

(B) To promote the basic purposes of this order, the head of each Department originating or handling classified information or material shall:

(1) Prior to the effective date of this order submit to the Interagency Classification Review Committee for approval a copy of the regulations it proposes to adopt pursuant to this order.

(2) Designate a senior member of his staff who shall ensure effective compliance with and implementation of this order and shall also chair a Departmental committee which shall have authority to act on all suggestions and complaints with respect to the Department's administration of this order.

(3) Undertake an initial program to familiarize the employees of his Department with the provisions of this order. He shall also establish and maintain active training and orientation programs for employees concerned with

classified information or material. Such programs shall include, as a minimum, the briefing of new employees and periodic reorientation during employment to impress upon each individual his responsibility for exercising vigilance and care in complying with the provisions of this order. Additionally, upon termination of employment or contemplated temporary separation for a sixty-day period or more, employees shall be debriefed and each reminded of the provisions of the Criminal Code and other applicable provisions of law relating to penalties for unauthorized disclosure.

(C) The Attorney General, upon request of the head of a Department, his duly designated representative, or the Chairman of the above described Committee, shall personally or through authorized representatives of the Department of Justice render an interpretation of this order with respect to any question arising in the course of its administration.

SEC. 8. Material Covered by the Atomic Energy Act. Nothing in this order shall supersede any requirements made by or under the Atomic Energy Act of August 30, 1954, as amended. "Restricted Data," and material designated as "Formerly Restricted Data," shall be handled, protected, classified, downgraded and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and the regulations of the Atomic Energy Commission.

SEC. 9. Special Departmental Arrangements. The originating Department or other appropriate authority may impose, in conformity with the provisions of this order, special requirements with respect to access, distribution and protection of classified information and material, including those which presently relate to communications intelligence, intelligence sources and methods and cryptography.

SEC. 10. Exceptional Cases. In an exceptional case when a person or Department not authorized to classify information originates information which is believed to require classification, such person or Department shall protect that information in the manner prescribed by this order. Such persons or Department shall transmit the information forthwith, under appropriate safeguards, to the Department having primary interest in the subject matter with a request that a determination be made as to classification.

SEC. 11. Declassification of Presidential Papers. The Archivist of the United States shall have authority to review and declassify information and material which has been classified by a President, his White House Staff or special committee or commission appointed by him and which the Archivist has in his custody at any archival depository, including a Presidential Library. Such declassification shall only be undertaken in accord with: (i) the terms of the donor's deed of gift, (ii) consultations with the Departments having a primary subject-matter interest, and (iii) the provisions of Section 5.

SEC. 12. Historical Research and Access by Former Government Officials. The requirement in Section 6(A)

that access to classified information or material be granted only as is necessary for the performance of one's duties shall not apply to persons outside the executive branch who are engaged in historical research projects or who have previously occupied policy-making positions to which they were appointed by the President; *Provided*, however, that in each case the head of the originating Department shall:

- (i) determine that access is clearly consistent with the interests of national security; and
- (ii) take appropriate steps to assure that classified information or material is not published or otherwise compromised.

Access granted a person by reason of his having previously occupied a policy-making position shall be limited to those papers which the former official originated, reviewed, signed or received while in public office.

SEC. 13. Administrative and Judicial Action.

(A) Any officer or employee of the United States who unnecessarily classifies or over-classifies information or material shall be notified that his actions are in violation of the terms of this order or of a directive of the President issued through the National Security Council. Repeated abuse of the classification process shall be grounds for an administrative reprimand. In any case where the Departmental committee or the Interagency Classification Review Committee finds that unnecessary classification or over-classification has occurred, it shall make a report to the head of the Department concerned in order that corrective steps may be taken.

(B) The head of each Department is directed to take prompt and stringent administrative action against any officer or employee of the United States, at any level of employment, determined to have been responsible for any release or disclosure of national security information or material in a manner not authorized by or under this order or a directive of the President issued through the National Security Council. Where a violation of criminal statutes may be involved, Departments will refer any such case promptly to the Department of Justice.

SEC. 14. Revocation of Executive Order No. 10501. Executive Order No. 10501 of November 5, 1953, as amended by Executive Orders No. 10816 of May 8, 1959, No. 10901 of January 11, 1961, No. 10964 of September 20, 1961, No. 10985 of January 15, 1962, No. 11097 of March 6, 1963 and by Section 1(a) of No. 11382 of November 28, 1967, is superseded as of the effective date of this order.

SEC. 15. Effective Date. This order shall become effective on June 1, 1972.

RICHARD NIXON

The White House
March 8, 1972

[Filed with the Office of the Federal Register, 11:01 a.m.,
March 9, 1972]

NOTE: For the President's statement upon issuing the Executive order, see the preceding item. For other related items, see the following three items.

Classification and Declassification of National Security Information and Material

The President's Order Designating Certain Offices in the Executive Office of the President as Possessing Authority To Classify Material "Top Secret." March 8, 1972

Pursuant to Section 2(A) of the Executive Order of March 8, 1972, entitled Classification and Declassification of National Security Information and Material, I hereby designate the following offices in the Executive Office of the President as possessing authority to originally classify information or material "Top Secret" as set forth in said Order:

The White House Office
National Security Council
Office of Management and Budget
Domestic Council
Office of Science and Technology
Office of Emergency Preparedness
President's Foreign Intelligence Advisory Board
Council on International Economic Policy
Council of Economic Advisers
National Aeronautics and Space Council
Office of Telecommunications Policy

RICHARD NIXON

The White House
March 8, 1972

NOTE: For a statement by the President and an Executive order establishing the new classification system, see the two preceding items.

Acceleration of Publication of "Foreign Relations" Series

The President's Memorandum for the Secretary of State. March 8, 1972

MEMORANDUM FOR THE SECRETARY OF STATE
SUBJECT: Acceleration of Publication of "Foreign Relations" Series

The official documentary series "Foreign Relations of the United States," published by the Department of State, has for many years provided the American public with an indispensable perspective on our Nation's history. The materials now being published, however, relate to the

events of 1946, and I think that in the interests of a better informed public the length of time between event and publication should be shortened. Accordingly, I ask that, without impairing the quality and comprehensive nature of the series, you immediately institute a program to reduce this time lag to 20 years. Your objective should be to make this reduction within the next 3 years and to keep the publication point at 20 years from then on.

In order to achieve this goal in the most expeditious manner, I am today instructing the Secretary of Defense, the Director of Central Intelligence, and the Assistant to the President for National Security Affairs to cooperate fully with you in collecting and declassifying the appropriate materials to the maximum extent consistent with the requirements of national security.

RICHARD NIXON

NOTE: For a statement by the President upon issuing the memorandum, see page 542 of this issue.

Acceleration of Publication of "Foreign Relations" Series

The President's Memorandum for the Secretary of Defense, the Director of Central Intelligence, and the Assistant to the President for National Security Affairs. March 8, 1972

MEMORANDUM FOR
THE SECRETARY OF DEFENSE
THE DIRECTOR OF CENTRAL INTELLIGENCE
THE ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS

SUBJECT: Acceleration of Publication of "Foreign Relations" Series

I have today instructed the Secretary of State to institute a program to reduce the time lag of the official documentary series "Foreign Relations of the United States," published by the Department of State, from 26 to 20 years.

The Department of State, in carrying out this instruction, will be seeking the assistance of your department or agency in the collection and declassification of the material in question. I ask that you cooperate fully with the Secretary of State to meet the above objectives in the most expeditious manner and to the maximum extent consistent with the requirements of national security.

RICHARD NIXON

NOTE: For a statement by the President upon issuing the memorandum, see page 542 of this issue.

Quantitative Limitation on the Importation of Certain Meats into the United States

Proclamation 4114. March 9, 1972

*By the President of the United States of America
a Proclamation*

WHEREAS section 2(a) of the Act of August 22, 1964 (78 Stat. 594, 19 U.S.C. 1202 note) (hereinafter referred to as "the Act"), declares that it is the policy of the Congress that the aggregate quantity of the articles specified in item 106.10 (relating to fresh, chilled, or frozen cattle meat) and item 106.20 (relating to fresh, chilled, or frozen meat of goats and sheep (except lambs)) of the Tariff Schedules of the United States (hereinafter referred to as "meat") which may be imported into the United States in any calendar year beginning after December 31, 1964, shall not exceed a quantity to be computed as prescribed in that section (hereafter referred to as "adjusted base quantity"); and

WHEREAS section 2(b) of the Act provides that the Secretary of Agriculture for each calendar year after 1964 shall estimate and publish the adjusted base quantity for such calendar year and shall estimate and publish quarterly the aggregate quantity of meat which in the absence of the limitations under the Act would be imported during such calendar year (hereafter referred to as "potential aggregate imports"); and

WHEREAS the Secretary of Agriculture, pursuant to sections 2(a) and (b) of the Act, estimated the adjusted base quantity of meat for the calendar year 1972 to be 1,042.4 million pounds and estimated the potential aggregate imports of meat for 1972 to be 1,240 million pounds; and

WHEREAS the potential aggregate imports of meat for the calendar year 1972, as estimated by the Secretary of Agriculture, exceeds 110 percent of the adjusted base quantity of meat for the calendar year 1972 estimated by the Secretary of Agriculture; and

WHEREAS no limitation under the Act is in effect with respect to the calendar year 1972; and

WHEREAS section 2(c)(1) of the Act requires the President in such circumstances to limit by proclamation the total quantity of meat which may be entered, or withdrawn from warehouse, for consumption, during the calendar year, to the adjusted base quantity estimated for such calendar year by the Secretary of Agriculture pursuant to section 2(b)(1) of the Act; and

WHEREAS section 2(d) of the Act provides that the President may suspend the total quantity proclaimed pursuant to section 2(c) of the Act if he determines and proclaims that such action is required by overriding economic or national security interests of the United States, giving special weight to the importance to the